

FORM PTO-1390
(REV. 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

MAR 05 2001

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

PH-98/032

U.S. PATENT OFFICE (If known, use 37 CFR 1.51)
09/719,017INTERNATIONAL APPLICATION NO.
PCT/FR99/01343INTERNATIONAL FILING DATE
June 8, 1999PRIORITY DATE CLAIMED
June 10, 1998

TITLE OF INVENTION

INDUSTRIAL METHOD FOR PRODUCING HETEROLOGOUS PROTEINS IN E. COLI AND STRAINS USEFULAPPLICANT(S) FOR DO/EO/US FOR SAID METHOD
Jerome Pierrard et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.
14. ☒ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/719,017

INTERNATIONAL APPLICATION NO.

PCT/FR/99/01343

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PH/98/032

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

101 Rec'd PCT/PTO 05 MAR 2001

09/719017

\$ 0

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	24 - 20 =	4	x \$18.00	\$ 72.00
Independent claims	2 - 3 =	-	x \$80.00	\$ -

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00

\$

TOTAL OF ABOVE CALCULATIONS =

\$ 202.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2.

\$

0

SUBTOTAL =

\$ 202.00

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

\$

0

TOTAL NATIONAL FEE =

\$ 202.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

TOTAL FEES ENCLOSED =

\$ 202.00

HNGUYEN 00000057 09719017

Amount to be
refunded:

\$

130.00 OP

72.00 OP

charged:

\$

- a. ☒ A check in the amount of \$ 130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. 03-2775. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Connolly Bove Lodge & Hutz LLP
1220 Market Street
P.O. Box 2207
Wilmington, DE 19899

SIGNATURE

Christine M. Hansen
NAME

40,634

REGISTRATION NUMBER

5500*54
Serial/Intf. No.: 09/719,017 Docket No.: PA-98/032 Atty: CMH
Names: Jerome Pierrard et al.
Title: Industrial Method for Producing Heterologous...

The following, due _____ in the U.S. Patent Office, has been received there on the date stamped hereon.

<input checked="" type="checkbox"/> Declaration or <input type="checkbox"/> Oath	<input checked="" type="checkbox"/> Check(s) <u>130+72</u>
<input checked="" type="checkbox"/> Power of Attorney	<input type="checkbox"/> Amendment or Response
<input type="checkbox"/> Specification <input type="checkbox"/> Claims	<input type="checkbox"/> Declaration or Affidavit
<input checked="" type="checkbox"/> Preliminary Amendment, <u>Second</u>	<input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Brief
<input type="checkbox"/> Assignment/Cover Sheet	<input type="checkbox"/> CPA/DIV/CIP
<input type="checkbox"/> Drawing(s) _____ sheet(s)	<input type="checkbox"/> Extension of Time
<input type="checkbox"/> Priority Document(s)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Disclosure Statement (Rule 56)	<input type="checkbox"/> Prelim. Statement <input type="checkbox"/> Motion
<input type="checkbox"/> PTO 1449 w/reference(s)	<input type="checkbox"/> Letter
<input type="checkbox"/> PTO 1533 Submission of Missing Parts	<input checked="" type="checkbox"/> <u>PTO-1390 Transmittal Letter</u>

CB307 1/98 OD

JCOB Rec'd PCT/PTO 05 MAR 2001